



David B. Cohen  
Mayor

CITY OF NEWTON, MASSACHUSETTS  
Department of Planning and Development  
Michael J. Kruse, Director

Telephone  
(617)-796-1120  
Telefax  
(617) 796-1142  
E-mail  
mkruse@ci.newton.ma.us

Public Hearing Date:	July 13, 2004
Land Use Action Date:	To Be Determined
Board of Aldermen Action Date:	September 20, 2004
90-Day Expiration Date:	October 4, 2004

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development  
Nancy Radzevich, Chief Planner  
Eric Jerman, Senior Planner

SUBJECT: #285-04 BLOOMINGDALE'S DEPARTMENT STORES, INC./FEDERATED DEPARTMENT STORES, INC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL for a 5-YEAR permit for a temporary tent to hold an ANNUAL rug sale in August not to exceed 15 days and the temporary displacement of approximately 90 parking spaces for the event at 225 BOYLSTON STREET, CHESTNUT HILL, Ward 7.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

I. BACKGROUND AND ELEMENTS OF THE PETITION

Bloomingtondale's Department Stores, Inc. is seeking a Special Permit to allow for an outdoor sale of carpets at the end of August and over the Labor Day weekend. The specific dates this year are August 24 to September 6. During the first two years (1996-1997) the sale was held in a 60' x 180' tent which temporarily displaced 66 parking spaces. In 1998 a more durable pole-less tent 82' x 246' was used. This tent displaced 90 parking spaces. For three years, the petitioner filed a similar petition to erect a temporary tent for a special carpet sale at the end of August. (Board Orders #193-96, #168-97 and #248-98)

In 1999, the petitioner asked for and the Board granted a Special Permit to allow them to erect the temporary tent for five consecutive years. (Board Order #204-99) The sale has seemingly

occurred without any parking problems or inconvenience to shoppers or travelers in the area. The Planning Department has confirmed that no complaints have been filed with respect to this event with the Inspectional Services Department.

One reason the late August time period has been selected is that it is typically a slow period for Bloomingdale's. As such, the loss of 90 stalls, temporarily, does not limit available parking. Bloomingdale's store manager had surveyed parking availability during the sale and found that there was sufficient parking at all times during the sale.

Four previous special permits have been granted for a limited time period and each required renewal of the special permit. The Planning Department has previously recommended that there was no need for repeat petitions so long as the size and location of the tent, hours and conditions of operations and general dates of the sale remained the same. Given that there has been an eight-year history in which there apparently have been no problems, the Board of Aldermen may want to consider allowing an annual tent sale through administrative review by the Planning, Fire and Inspectional Services Departments.

Attached are the June 17, 2004 request from the petitioner for an amendment to existing Board Order #204-99, Board Order #204-99, and the 1996 Planning Department memo describing the request for the original special permit application. **(SEE ATTACHMENT "A")**.